G. R. S. 58]

Previous references.

File No. 648-13

1913.

Serial Nos. 1-5

(Judrai)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-5

Part B for September 15

SUBJECT.

Repairs to the temple of Sri Mantradevaru in the village Kulavalli in the Honnali

To D.C. Shimoga No 905 Dt 28.9.15

Passes orders on the appeal of G. Siddalingappa of the village Honnali Tk, re lands of Sri Mantrum in the village.

SPB—10,000—23-3-15

KPL

BY KH

G.R.S. 11] 191 3.

GENERAL AND REVENUE SECRETARIAT.

(Murzai)

NOTES.

File No. 648-13

FILE HEADING.

Repairs to the temple of Sri Hanumantha Devare in the village of Kulambi in the Honnali Taluk.

From

Gangadharappala Siddalingappa. Thro. his Advocate.

~~No.~~ Petition Dated 15.5.1914 Received

Diary No. 2177	Enclos. 3	Spare Copies -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Dy. Commrs. order directing the aplt to pay Rs 3 1/4 towards the cost of repairing the said temple.

NOTES AND ORDERS.

Siddalingappa states that S. no 116 in the village of Kulambi, Honnali Taluk, is in the khate of Hanumantha Devaru in the village, that he and his ancestors had been for several years before 1913 in undisturbed

NOTES—First Sheet.

GPB—35,000—15 6.12

(I. R. S. 12]

General and Revenue Secretariat.

File No. 648 of 1913.

Serial No.

enjoyment of the land on condition of supplying 3 measures of lamp oil for "Nanda Deepa" in the temple, that in or about the latter part of 1907, the Amildar of Honnali Taluk proposed that the petr should repair the temple building, and the petr agreed to it on condition of being confirmed hereditarily in the enjoyment of the inam land, and that on 30th March 1913, the land in question was taken away from the petr and disposed of by public auction, the petr being directed to pay Rs 60/ a year from 1907-08 to 1912-13 viz Rs 300 together with a sum of Rs 120/ being the value of half the crop for the year 1913-14. The petr further states that no formal orders were conveyed to him to take up the repair, that he has been unnecessarily deprived of the inam land, and that in pursuance of the above order for the recovery of Rs 420/ from the petr, moveable properties of the petr were attached but were released on the petr furnishing security. He prays that

NOTE—Contn. sheet.

GPH—60 CCO—7 11 13

G. R. S. 12]

General and Revenue Secretariat. | File No. 648 of 1913.

Serial No.

the sale of the inam land may be reversed, and he may be confirmed in its enjoyment subject to his performing the manual duties, and that if this is not possible, the Dy. Comm's. order directing the recovery of Rs 420 may be set aside. He also prays that pending disposal of the appeal, the ~~staying~~ further proceedings by the Dy. Comm^r may be ~~suspended~~ stayed.

The Dy. Comm's order appealed against says that the land in question is yielding a fair income, that it is the apl^ts. duty to keep the Temple in good repairs, and that as he fails to do so, the amounts as stated above should be recovered from the apl^t. The apl^t again applied to the Dy Comm^r for a revision of the above order, and the Dy Comm^r has further saw no sufficient reason to interfere with it.

Submitted. for order

30/6/1914 This seems to be a case where stay of further proc^s may be ordered, & a report with records called for

NOTE—Contn. sheet.

GPB—60 (CO—7 11 1)

R. S. 12]

General and Revenue Secretariat.

File No. 648 of 1913.

Serial No.	
	From the Dy Comr. Shimoga RC 3/7/14 Subd CTN further proceedings in the case may be stayed pending disposal of the appeal Sd may be stayed & records called for 3/7/14 Submd. with draft AA(115) 4.7.1914.
2	To the Dy. Comr. Shimoga Dt. No 86 dt 7.7.14 Forwards abstract for report with records. Submd. with a draft Endt to the petr AA(115) 9.7.1914 10.7.14

NOTE.—Contn. sheet.

GPB—60,000—7 11 13

G. R. S. 12]

General and Revenue Secretariat. | File No. G 48 of 1913.

Serial No.	
3	To Gangadharappala Siddalingappa No 156 Dy 20-7-14 Intimate, that his petn. has been forwarded to D.C. for report & stay orders passed. Dy From, the Dy. Commr, Shimoga Letter no. 238 Dy 5-11-1914. Reports the circumstances under which the order appealed against was passed by his predecessor in office. The Dy. Commr's letter explains the facts of the case in detail. G Siddalingappa bin Basappa (aplt before Govt) was holding inam S no 116 of Kulambi Village, Hosnali Taluk, on condition of his paying up the jodi due thereon and of supplying 3 measures of oil for the maintenance of a nanda-deepa in the temple of Sri Hanumantha Devaru in the said village. He petitioned the Collector stating that he would repair the dilapidated temple building at a cost of Rs 300 within one year in addition to the usual supply of oil and praying that he might not be disturbed of the possession

NOTE—Contn. sheet.

GPL—60 000—7 11 15

G. R. S. 12]

General and Revenue Secretariat. | File No. 648 of 1913

Serial No.

of the land. He has also executed muchalikas on 2 occasions before the Amildar to that effect. He having failed to act up to his muchalika, the record of the case went up for orders before the then Dy. Commr Mr K. Srinivasan. The latter officer has ordered that as the aplt in spite of handsome profits of from the inam land made no arrangements to get the temple building repaired, but allowed it to go to ruins, a sum of Rs 60/ per year for 5 years from 1907-8 to 1911-12 and half the value of the produce of the land for 1912-13 hence be recovered from him. Against this order, the aplt presented a revision petition to the present Dy. Commr who declined to interfere with the orders of his predecessor.

The aplt has approached Govt praying for redress.

The case will be posted for hearing if directed.

Submitted. For orders

MMS 2-12-14 after points require elucidation in this case

NOTE—Contn. sheet.

GPB—25,000—2 11 14

R S 12]

General and Revenue Secretariat.

File No. 648 of 1913.

Serial No.

case before coming to a final settlement as to whether it may be decided on its own merits or calls for a personal hearing -

1) Is the condition of supplying the oil to the temple the only one laid down for the enjoyment of the inam land in question or ~~of~~ is there any other?

2) If it was the only one, how is it that Siddalingappa was asked to execute a muchalika to rent the temple building in repair

3) What is the nature of Siddalingappa's tenancy & how long has he been in possession of the land?

4) Has he been supplying the oil regularly to the temple or not?

5) What is the liability of the archak (who also enjoys an inam land) in the matter of keeping the building in sound condition & how far has he realised it

6) Why should not the enjoyers of the two inam lands viz the archak and Siddalingappa divide the cost of the repairs equally between themselves?

2

NOTE—Con'n sheet

GPP—20 000—9 11 14

G. R. S. 12]

General and Revenue Secretariat.

File No. 648 of 1913.

Serial No.

May an enquiry be made on the above terms?

EL
3/12/14

The above enquiry does not appear to be necessary. Presumably Sidda Linga appa is only a tenant-at-will and the land lord temple is entitled to participate in the improved income of the land. Siddalinga appa undertook to repair the temple in 1908 in lieu of an increased rent. Note in detail the terms of this mutchalika. Is there anything to show the actual income of the land during these years the price of supplies and the net-profit.

Lee
7.12.14

AV

In his kyphiyat on Inuchalika Dy 4th March 1908, he admits that the dry land S. No. 116 has been in the enjoyment of his family since the times of his grand-father, and states that he has been enjoying the land paying Kandayaday Rs 8-1-0 and supplying 3 maunds of oil to the temple, that the Rakasa in

NOTE—Contin. sheet

GPB—25,000—2 11 14

Serial No.

front of Garbhapuri having almost fallen, he would repair it in a year, that if he failed to do so, he might be dispossessed of the land, that if he repaired it, the land might be continued in his holding and adds that he would execute repairs at a cost of Rs 300 to the satisfaction of Govt.

This kyphiyat is based on a petition wherein the applt states:—
"తిరువళ్ళూరు వీరరాఘవస్వామి దేవస్థానమువారు ఎంతో కాలము క్రిందట కట్టించిన ధర్మ సత్రము."

In another kyphiyat Muchalika dt 20-12-1908, in addition to the above he agrees to conduct at his cost one day's Karthika utsava on condition of the land being confirmed to him & his heirs.

The Amildar recommends the remany of Rs 120 a year from 1907-08 to 1911-12, and a nijasta amount of Rs 120/- for 1912-13. The Sub Divl officer & the Dy. Commr recommend that Rs 60 per annum may be remitted for 5 years.

From a Mahazar of the villagers, it will be seen that the yield from the land for 1912-13 was 2½ khandagas of jola-

NOTE—Contn. sheet.

GPB—25,000—2-11 14

G. R. S. 12]

General and Revenue Secretariat.

File No. 615 of 1913.

Serial No.

From the Builder's report Dy 5-4-13, it will be seen that the pete was spending Rs 14-1-0 per annum (Rs 12/- towards castor oil supplied to the temple and Rs 5-1-0 towards kandeyas).

The ~~land was~~ Saguvali hak of this land was sold for 5 years, and the highest bid was Rs 95/- per annum (vide Hadaz Patti Dy 30-3-1913).

Submitted
DM (HS) DL
8-12-1914

Read letter No. on the
The land in question in S. No 116 has been in the tenancy of the appellant and his ancestors for a long time past on condition of the supply of three maunds of oil. This is admitted and it is also seen that the appellant has not made any default. This respect.

In 1907 it was discovered that the temple needed repairs and as the appellant was apparently enjoying the land on easy terms, pressure appears to have been put upon him

NOTE—Contn. sheet.

GPB—25 000—2 11 14

G. R. S. 12]

General and Revenue Secretariat. | File No. 648 of 1913.

Serial No.

and he undertook to repair the temples on condition that his lease is made permanent. A memorandum was taken below on from him repeating the same conditions with the addition that one day's ulta arrack will also be undertaken by him.

The applt's pleader has already been instructed that the lease should be made permanent and if this is not acceptable to the authorities, the remedy lies in terminating the lease and not in claiming pecuniary payment on the scale of half the produce. The Dy Comr's argument that it was the applt's duty to keep the temples in repair and for default he must be penalized does not appear to be quite acceptable as there is nothing to show that this was a condition of the lease though there seems to be very little doubt that the appellant was having substantial profit.

The land has since been leased to another at a rental of Rs 93 that is nearly five times the rent paid by the appellant. The loss of the land appears to be insufficient

NOTE—Contn. sheet.

GPB—25,000—9 11 14

Serial No.

punishment for any negligence of the appellant.

He can appear the case being cleared and may perhaps be dispensed with hearing the parties. If directed the case be posted for hearing

Sd
5.

The Pets presented by the appellant and the Muchalka executed in 1908 both show that he agreed to repair the temple in consideration of the field being given to him on permanent lease for the low rent of 4 maunds of old that he had been paying. The matter was not decided one way or other finally till 1913, when the field was leased to another person on much higher rents. The appellant was therefore no bound to

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R S 12J

General and Revenue Secretariat. | File No. 648 of 1913

Serial No.

repair the temple or to pay any higher rent for the past years. The Dy Cr's order to levy arrears of rent from him at 60 Rs a year is therefore Cancelled.

10/5/15

Submit with a draft order

AC 11/5 20/5/15 21/5/15

Put up clean draft. The order says nothing about the recovery of Rs 120 during the last year. Was any notice issued in 12-13 determining the lease and was the crop during that year attached after action was taken

7.6.15

The Dy Comm's order was directed to be held in abeyance. The Dy. Commr may be asked to recover from the apltt the value of half

NOTE—Contn. sheet

GPB—25 000—9 11 14

G. R. S. 12]

General and Revenue Secretariat.

File No. 648 of 1913

Serial No.

the produce for 1912-13 estimated at Rs 120/-.

The apltt admits that the Temple land in his possession was put up to auction for 5 years from 1913-14 and purchased by one Tirukappana Siddappa (Vide also Hariaz Patti in the Vern. records).

Submtd.

AW(115) 9.6.1915

I have again perused the Ver. records. The Appellant was examined on 25th June and it was then that he could have had any indication that the case will be determined. By that time the records had been received. A statement after Appellant recorded before the examiner bears an admission on his part of his entire enjoyment of only a half of the produce but this is unsigned. Even as stated he has definitely declined to enjoy it. For the year 1912-13 the temple is entitled only to the Manual fallen. An addition of the deposit on this point is suggested for approval.

Sd/- 6/9/15 (in another) Le

NOTE—Contn. sheet

GPB—25,000—22 3-15

Approved 9-9-15

Le

17/9/15

16/9/15

G R. S. 12]

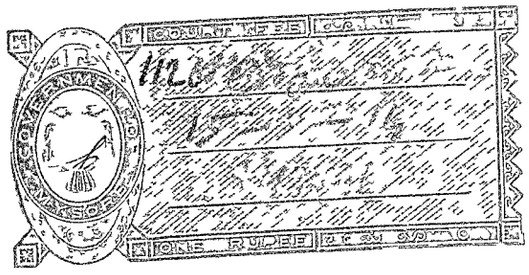
General and Revenue Secretariat.

File No. 648 of 1913.

Serial No.	
5	No: 9058 28 9·15, b w.c. [illegible] cancels the order [illegible] dt. [illegible] the payment of arrears [illegible] 60 Rs per annum [illegible] [illegible] [illegible]
B	

NOTE—Contn. sheet.

GPB—21,000—22-3-15



Before the Government of His
Highness the Maharaja of Mysore
Bangalore

DIARY NO. 2177

1913-1914
SECTION Muzrai
FILE NO. 648-13
SERIAL No.

Muzarai Appeal No. of 1913

The humble petition of Gangadhara
-ppala Siddalingappa Bin Basappa
resident of Kulambe village Hanmale Taluk
most respectfully sheweth —

I. The Petitioner's ancestors and the
Petitioner had been for several years
before 1913 in undisturbed enjoyment
of the Inam land S. No. 116 in the
village of Kulambe, Hanmale Taluk
in consideration of supplying 3 measures
of lamp oil every year for "Wanda
deepa" to the temple of "Hanumantha devaru"
in the said village. The worship
used to be conducted by the hereditary
Pujari, who was enjoying another Inam
land S. No. 54 in remuneration of his
services. The Khata of both the lands
is in the name of the deity of the
temple

temple.

II. The issue of the grants, the terms and conditions thereof and the exact duties imposed on the grantees and their successors-in-title are lost in antiquity and cannot be traced at present

III. In or about the latter part of 1907, the Amildar of Honnali Taluk visited the village and temple, and seeing the disrepair into which the temple had fallen made inquiries and on learning, that the Petitioner was in enjoyment of the Inam land, suggested that it would be desirable he should repair the temple. Even before the amildar visited the temple the Petitioner had executed urgent repairs in portions of the temple thus making it possible to conduct worship and put up "Vaddeepa".

IV. The Petitioner was agreeable to the suggestion of the Amildar and though he was not, under any obligation attached to his right to enjoy the Inam land, bound to take on himself the duty of repairing the temple, still as the suggestion came from an officer of Government and as he considered it a holy and pious

duty to repair the temple of village deity, the petitioner expressed his consent to do so, provided that his enjoyment of the land was confirmed in writing to him and his heirs in perpetuity by Government.

V. The amildar asked the Petitioner to file a petition to the Taluk to that effect and the Petitioner filed one accordingly on 4-3-'08, by which he agreed on the condition of the enjoyment being confirmed in writing as aforesaid, to effect the necessary repairs to the temple within one year of the said date. The Petitioners statement also was recorded to the ~~same~~ like effect on the same date.

VI. On 20-12-'08 a 'Panchalika' was taken from the petitioner by the Amildar embodying more formally the offer of the Petitioner to put the temple in proper repair and condition at a cost of ~~Rs~~ 300 in addition to continuing to supply oil, as before and to celebrating one of the 'Karteek' festivals as directed in person by the Amildar provided he received formal orders in writing that he and his

Posterity

posterity would be confirmed in enjoyment of the Inam land - subject on payment of the quit - to Government and performance the duties alone said; and to complete the repair in a yer time failing which the land be resumed.

VII. On 20-12-08, the and Co-villagers of the Petitioner asked by the Amildar to express wishes in the matter and made it clear that far from their any objection to the Petitioner allowed to perform the said d and continue in enjoyment of the Inam, they felt it was just proper he alone should be allowed to do so.

VIII On 30-7-09, a further statement to the same effect was taken by the Amildar from the Petitioner

IX. The Petitioner who all along expected to receive an order in writing which he understood would come to him conferring his right to enjoy the land for ever as aforesaid subject to the performance of the aforementioned duties had no option but to keep quiet as no order issued from the authorities.

But on 30-3-13, ie nearly 4 years after the Petitioner undertook to execute the repairs on receiving formal orders from Government as aforesaid, the right to enjoy the lands in Petitioners enjoyment as well as the Pujary Inam lands for a period of 5 years commencing from 1913-14 was put up to auction and purchased respectively by one Venkappana Seddappa bin Vaijappa and Kadappa bin Seddappa respectively for Rs 95/- and Rs 40, and the land made over to the possession of the purchasers, thus depriving the Petitioner of the possession of the land which he and his fore-fathers were enjoying for a very long period

XI. As if this were not misfortune enough for the Petitioner, the Amildar drew up proceedings, after an informal inquiry of some villagers ill-disposed towards the Petitioner, to the effect that the land was yielding profits much over and above the value of the oil supplied by the Petitioner to the temple and the gest-

rent

rent paid by him and that he failed to keep the in proper repair & the cost of repair to be effected must be from the Petitioner.

XII. The Deputy Commissioner Shimoga in his order dated 20-5- Confirmed the auction of the without satisfying himself that was no obligation attached by law or contract to the enjoyment of the Inam land on the Petitioner's part to keep the temple in good repair and that he was not given an express order to that effect as he was made to understand and a fair opportunity to effect the repairs. The said order (Copy of which is herewith filed) directs that ~~Rs~~ 60 a year from 1907-8 to 1912-13 or ~~Rs~~ 300/- plus ~~Rs~~ 120 being value of half the crop for the year 1913-14 should be received from the Petitioner. The Petitioner filed an application to the Deputy Commissioner for review of the said order, but the Deputy Commissioner refused to reconsider the same (Copy of the order in RR C16/13-4 dated 30-3-4

herewith filed). In pursuance of the said order the petitioner's moveable property including two-storied house was attached and brought to sale and were released from attachment on the Petitioner furnishing security.

XIII. Hence this appeal. Though the purchaser Thirukkaffana Lidaffa hein Naijappa has already enjoyed one crop, no attempt has yet been made by him towards repairing the temple. The petitioner is even now prepared to do everything in his power to effect the repairs provided he is confirmed in his right to continue to enjoy the land subject to the performance of the duties

XIV. It is not clear under what provision of law the Inam land was auctioned, and the sum of Rs 420 which with interest etc amounts to about Rs 490/- an arbitrary sum fixed by the Amildar and Deputy Commissioner could be recovered from the Petitioner. The authorities below have assumed throughout that it had all along been the duty of the Petitioner from the commencement to effect repairs. The said duty which the Petitioner offered

to

to undertake on himself as per his
muchalika, petition and
did not arise as the Amildar
not issue an order to the P
as aforesaid

XV. It is extremely hard on the P
in the 1st place to be dispossessed
of an ancestral 'Inam' for
omission on his part to do an act
which he had never been
to understand he was bound to do
and which he expected and
was given to understand he would
by a formal order to that effect
be called on to do but which was
never done; in the next place
to be proceeded against by Govern-
-ment for the refund of profits
of the land enjoyed by him during
five years and thus subjected
to a double penalty. Even assum
that the auction-sale of the
right to enjoy the land for 5 years
is justifiable, still properly speaking,
the purchaser alone was bound
to effect the repairs for the
omission to do which the land-
was resumed from the Petitioner

and

I given over to the purchaser to enable him to do the repairs, and the petitioner should not in equity be subjected to a double penalty.

XVI. Therefore the Petitioner respectfully prays that the benign Government of H.H. the Maharaja of Mysore may be graciously pleased to send for all the records connected with this matter and direct that:-

(1) the sale of the inam land S.No. 116 be reversed and the same be put in possession of the petitioner and an order issued to him confirming him in the enjoyment of the land subject to the effecting of the necessary repairs by him and performance of the "mamool" duties.

or (2) if that is for any reason found not feasible, the order of the Deputy Commissioner directing that the amount of ~~Rs~~ 420 with interest should be recovered from the Petitioner and the coercive proceedings consequent thereupon be set aside.

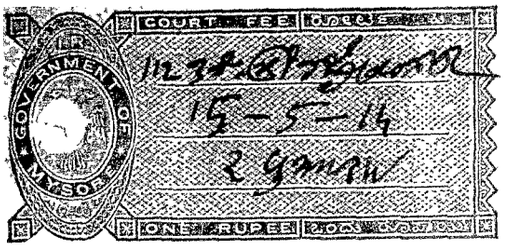
The

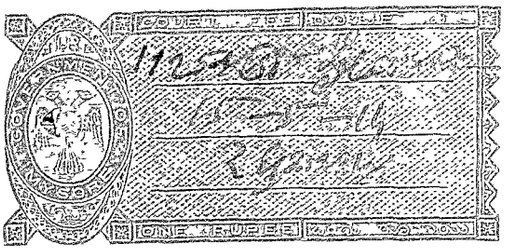
The Petitioner filed
disposal Petition
on may
kindly be pleased to direct stay of further
proceedings by the Deputy Commissioner and Assistant in the
matter.

15-5-14
Bangalore.
May 1914.

ಮುಂದಿನ ವಿಚಾರಣೆಯನ್ನು
ತಡೆಹಿಡಿಯಲು ಅಪೀಲುದಾರರು
ಮಾಡಿಕೊಂಡ ಮನವಿ

Petitioner





ಕೋರ್ಟಿಗೆ.

191 — ನಂಬರು.

ವಾದಿ. ಪ್ರತಿವಾದಿ.

VS.

ಮ|| ರಾ||.....ಯವರಿಗೆ.

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮಾ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಅಪೈರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸಲಿಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲುಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗುವ ಡಿಕ್ರಿ ಮೊಬಲಗು ತಿಲ್ಕುಮೊಬಲಗು ಸಹಾ ಪಡಿಯಲಿಕ್ಕೂ, ನನಗಾಗಿ ರೀಫಂಡ್ ಆಗತಕ್ಕ ಸ್ಟಾಂಪನ್ನು ಪಡಿಯಲಿಕ್ಕೂ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸುಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೊ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು ರುಜು.

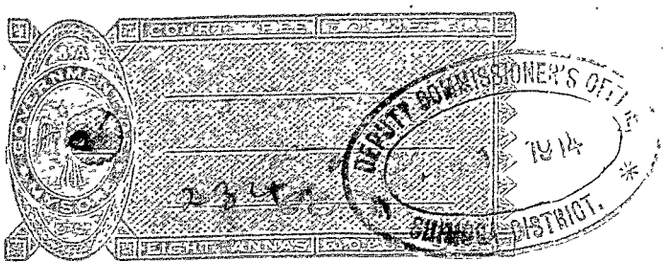
ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯ ಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿದ್ದೇನೆ.

15/5/14

☞ ಈ ಫಾರಂ ಬೆಂಗಳೂರು ಸಿಟಿ ಸಿಳ್ಳೆಪೇಟೆ ಎಲ್ಲಿ ಪೆ ನಂಬರು ಷಾಪ್‌ಕೀಪರ್ (ದೊಡ್ಡ. ಬಿ. ಚಿಕ್ಕಣ್ಣಶೆಟ್ಟರಲ್ಲಿ) ದೊರೆಯುತ್ತೆ.

V. Sangha Press, Bangalore City.



ಹೊನ್ನಾಳಿ ತಾಲ್ಲೂಕಿನ ಹುಂಡುಗುದಿಯವರು ಸರ್ಕಾರಕ್ಕೆ ಬರಬೇಕಾದ ಭೂಕಂದಾಯ
ಸೇರಿದಂತೆ ಶೀರ್ಷಿಕೆಯಲ್ಲಿ ಕಂಡಂತೆ ಒಟ್ಟು ಬಾಕಿಯಿರುವ ಸ. ನಂ. 116ನ್ನು ಸಾರ್ವಜನಿಕ
ಸೇವೆಗಾಗಿ ಈ ಮೇಲ್ಕಂಡ ಶೀರ್ಷಿಕೆಯಲ್ಲಿ ಅಂಗೀಕರಿಸಿದ್ದು ಸದರಿ ಜಮೀನಿಗೆ ಸರ್ಕಾರಕ್ಕೆ
ಬರಬೇಕಾಗಿರುವ ಕಂದಾಯ 300/- ರೂಪಾಯಿಗಳನ್ನು ಈ ಲಾಗವಡು ಮುಟ್ಟುವಿಕೆ ಅಂತೆಯೇ ಅಂದರೆ
ಮುಂದಿನ ಫಸಲಿನಿಂದ ಪ್ರಾರಂಭಿಸಿ ವಸೂಲಿ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೆ ಕೋರಿ
ಮೇಲಿನಂತೆ ಪ್ರಸ್ತಾವನೆ ಮಾಡಿದ್ದು ಹೊನ್ನಾಳಿ ತಾಲ್ಲೂಕಿನ ಕಂದಾಯ/ಪ್ರಾ.ಆ.ಸ.
5.2.13
ಇವರ ಮೇಲಿನ ಶಿಫಾರಸ್ಸಿನ ಪ್ರಕಾರ ಪತ್ರ ಸಂಖ್ಯೆ 892 ಈ ಸಂಬಂಧ ಕಂಡಾಯ
20.4.13
ಡಿ.ಜಿ.ಲೆಕ್ಕ ಶಿಫಾರಸ್ಸು ಪಿ.ಡಿ.ಕೆ.ಸಿ. ಕಾರ್ಯಾಲಯ ಪತ್ರ 637 ಸಂಖ್ಯೆ ಇರುತ್ತದೆ.
20.5.13

ಸದರಿ ಅಂಗವಡು ಮುಟ್ಟುವಿಕೆಯಲ್ಲಿ ಸ. ನಂ. 116ರ ಜಮೀನಿನಲ್ಲಿ
ಬಾಧಿಸುವಂತೆ ಯಾವುದೇ ಶೀರ್ಷಿಕೆಯಲ್ಲಿ ಆಗಲಿ ಸದ್ಯದಲ್ಲಿಯಾಗಲಿ ಈ ಕಛೇರಿಯಿಂದ
ಯಾವುದೇ ಮುಂದಿನ ಕ್ರಮವನ್ನು ಕೈಗೊಳ್ಳಬೇಕಾಗಿರುವುದಿಲ್ಲವೆಂದು ತಿಳಿಸಿದೆ. ಆದರೆ
ಶಿವಮೊಗ್ಗದಲ್ಲಿರುವ ಕೆಲವು ಸಾರ್ವಜನಿಕರು ಈ ಜಮೀನಿನ ಬಗ್ಗೆ ಸಲ್ಲಿಸಿರುವ ಅರ್ಜಿಯಲ್ಲಿ
ಸದರಿ ಸ. ನಂ. 1907-08ನೇ ಸಾಲಿನಲ್ಲಿ ಸಾರ್ವಜನಿಕ ಆಸ್ಪತ್ರೆಗಾಗಿ 1911 ರಲ್ಲಿ ಸರ್ಕಾರಕ್ಕೆ ಕಾಯ್ದಿರಿಸಿದ್ದು
ಎಂದಿದ್ದು, 60/- ರೂಪಾಯಿ ಆಯಿತಿಯ 300/- ರೂಪಾಯಿ ಆಯವನ್ನು ಪಡೆಯುತ್ತಿರುವ
ತಪ್ಪಿದ್ದಾಗಿದೆ ಸದರಿ ಮಾಹಿತಿಯನ್ನು ಕಿರಣಕ್ಕೆ. ಪ್ರಸ್ತುತ ಸರ್ಕಾರಿ ಸರ್ವೇ ಆದೇಶದ
ವಿಷಯವಾದ್ದರಿಂದ ಹೊನ್ನಾಳಿ ತಾಲ್ಲೂಕಿನ ಕಂದಾಯ/ಪ್ರಾ.ಆ.ಸ. ರವರು ಮೇಲ್ಕಂಡ ಸ. ನಂ.
ಗೆ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಸೂಚಿಸಿದೆ.

ಈ ಮೇಲ್ಕಂಡ ಪತ್ರಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಪ್ರಸ್ತುತ ಸರ್ಕಾರದ ಆದೇಶದಂತೆ
ಸಾರ್ವಜನಿಕ ಆಸ್ಪತ್ರೆಯ ನಿರ್ಮಾಣಕ್ಕಾಗಿ ಮೀಸಲಿರಿಸಿರುವ ಸ. ನಂ. 116ರ ಜಮೀನಿನಲ್ಲಿ
ಸಾರ್ವಜನಿಕ ಆಸ್ಪತ್ರೆಯನ್ನು ನಿರ್ಮಿಸಲು ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರಿದೆ.

ಮೇಲ್ಕಂಡ ಪತ್ರಗಳ ಹಿನ್ನೆಲೆಯಲ್ಲಿ ಪ್ರಸ್ತುತ ಸರ್ಕಾರದ ಆದೇಶದಂತೆ
ಸಾರ್ವಜನಿಕ ಆಸ್ಪತ್ರೆಯ ನಿರ್ಮಾಣಕ್ಕಾಗಿ ಮೀಸಲಿರಿಸಿರುವ ಸ. ನಂ. 116ರ ಜಮೀನಿನಲ್ಲಿ
ಸಾರ್ವಜನಿಕ ಆಸ್ಪತ್ರೆಯನ್ನು ನಿರ್ಮಿಸಲು ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳಲು ಕೋರಿದೆ.

54 నెం. పట్టా నంబరు చూడాలి. ఖాతా నెంబరు
నెం. 1 వరకు చేర్చిన తర్వాత ఉదరకాముల్లో కుళ్ళిన్న రంగు
ది మూడాంశి నగదుచేతనవస్తే కు డబ్బు కేటాయింపబడ్డ నగదు
తప్పకుండా పూర్తయిన్న తీసుకోవాలి చూడగలదు.

ఈ చేలవు సంబంధించిన దస్త్రములు దగ్గరి బస్సు ఈ
చిలకలూరిపేట పట్టణం నెం. 4 నంబరే సర్వేలకే ప్రకారము కొరకు.
రాజధానిలో దృవ్యద్రవ్యాధికారులు లేని నెం. తయారుచేయడానికి
లు తొలగించే ఉపయోగించి అనే ధరణం పొందినట్లుగా చేకూరిన చిం
రాష్ట్రానికి పడినది."

20. 5. 1913. (Sd) K Srinivasa Rao
Deputy Commissioner.

"True copy"

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Number of words — 182.
Copying charges — 0-3-0
Comparing fees — 0-0-4
Total 0-3-4

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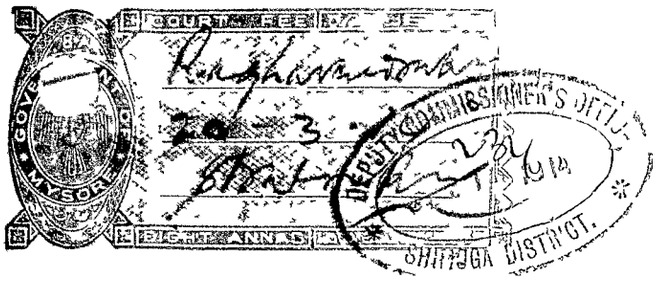
District Sheristedar



In the Court of the Deputy Commissioner,
Shimoga District,

Revenue Revision Case No 16
13 14

petitioner Gangadharappala Siddalingappa
son Basappa, Resident of Kulambi
Honnali Taluk

Subject

This is a revision petition praying for the revision of order of the Deputy Commissioner dated 20th May 1913 directing the petitioner to pay Rs 300/- towards the costs of repairing the Hanumantha Devaru Temple, as the petitioner had been enjoying the Inam land of the Temple.

Order

Heard Mr. Raghavendra Rau on the 28th instant on behalf of the petitioner. The order sought to be revised was passed by my predecessor and, I see no sufficient reason to interfere with it. petitioner be informed accordingly.

30.3.14

(Sd) K Matthan,
Deputy Commissioner

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Copy applied for on --- 30. 3. 14.

Copy ready on — 31. 3. 14.

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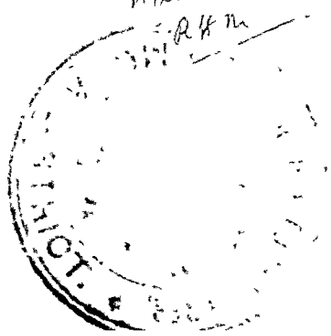

for

District Shoristedar.

I Calls for report with records in the appeal petition of G. Siddalingappa and directs that pending disposal of the appeal further proceedings may be stayed

245

G. R. S. 26]

File 648 1913

Serial No. 2

Diary No. of letter replied to 2477

No. 36 Exn 14

General and Revenue Secretariat

( )

, *the* 191

To

The Dy Commissioner,

Shimoga Dist.

Date of issue 7th Jan 1914

Signed by Aravamudachar

Has the honor to forward herewith for favor of ~~report detailed report~~ (with its 2 enclosures) with records, petition rcvd No 2144 Dy 15th May 1914 from Gangadharappala Siddalingappa bin Basappa residing in Kulamba village, Honnali taluk, appealing against the Dy. Commrs order directing the apel

over.

SUBJECT

to pay Rs 420 towards
the cost of repairs to
the temple of Sri Hanumantha
Devaru in the said village,
and to request that further
proceedings in the case
may be stayed pending
disposal of ~~the~~ his appeal.

By order

Sd/-

For Off. Secretary

List of enclosures,

Copied by

Examined by

GPB—25,000—8-8 11.

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

No 156 Dt 20-3-1914
Trans 648-13-3

1914-15.

DIARY No. 786

15

648 13

4

From

The Deputy Commissioner,
Shimoga District.

To

The Offg. Secretary to Govt
Gen and Rev Depts.,
Muzrai Branch Bangalore.

Dated 5th November 1914.

Despatched

Received 9.

General No. 238

Muzrai No. 39

Enclosure No. 41 Memorandum &c

With reference to your docket No.36 dated 7th July 1914 forwards report with connected records petition No. 2177 dated 15th May 1914 from Gangadarappala Siddalingappa in Kulambi village, Honnali Taluk.

GPB—75 reams—25 5 10

36 No. 238 Revenue Office
Revenue-39

Office of the Deputy Commissioner,
Shimoga District.
Dated Shimoga the 5th November 1914.

From

K.Matthan, Esquire., B.A.,
Offg. Deputy Commissioner,
Shimoga District.

To

D.M.Narasinga Rao, Esquire., B.A.,B.L.,
Offg. Secretary to the Government of Mysore,
General and Revenue Departments,
(Muzrai Branch) Bangalore.

Sir,

With reference to your docket No. 36 dated 7th July 1914 forwarding for report, with connected records, petition No 2177 dated 15th May 1914 from Gangadarappala Siddalingappa bin Basappa residing in Kulambi village, Honnali Taluk appealing against the Deputy Commissioner's order directing the appellant to pay Rs 420/- towards the cost of repairs to the temple of Sri Hanumantha Devaru in the said village, I have the honour to state as follows:-

2. The temple of Sri Hanumantha Devaru is endowed with the marginally noted Inam lands at Kulambi in the Honnali Taluk of the two survey numbers belonging to the temple, Survey numbers 54 has been in the possession and enjoyment of the Archak of the temple in consideration of his performing the required services. The other survey number 116 was in the possession of Siddalingappa on condition of his paying up the Jodi due thereon and of supplying three ~~mond~~ maunds of oil for the maintenance of the nanda-dipa in the temple.

Survey Numbers.	Dry.	A. G.	Assessment.	Jodi.
54.	dry	10- 19	10 - 0 - 0	2 - 6 - 0
116	dry	10 -31	15 - 0 - 0	4 - 2 - 0

3. On 5th March 1908, Siddalingappa petitioned the Amildar stating that he would ropair the temple building, which had beein in disrepair, at a cost of Rs 300/- within one year in addition to the usual supply of oil and praying that he may not be deprived of the possession of the land. A mutchalika was also executed by him bofore the Amildar binding himself to the above mentioned conditions failing which the land may be taken possession of by the Government.

4. Again on 20th December 1908 the petitioner executed another mutchalika before the Amildar stating that he will have the temple building repaired within one month after the possession of the land was actually confirmed to him and to his heirs in perpetuity by Government.

5. In the meantime, the inhabitants of Kulambi village, presented a petition before the Amildar in which they represented that the right of occupancy of the land should not be given to Siddalingappa and that it should be sold by public auction. The matter was under correspondence until 1913.

6. On 26th January 1913 the Amildar visited the village and after personally satisfying himself with the state of the temple and of its lands, recorded the statement of Siddalingappa and other inhabitants of Kulambi village. Thereupon he made a detailed report to the Sub-Division Officer to the effect that as the land was in the possession of Siddalingappa from the year 1907-08, a sum of Rs 120/- per year may be ordered to be collected from him for his failure to repair the temple in ~~in~~ accordance with the terms of the Mutchalika executed by him on 5th March 1908.

7. The Sub-Division Officer submitted the records to the Deputy Commissioner recommending that a sum of Rs 60/- per year for the 5 years from 1907-08 to 1911-12 may be ordered to be recovered from Siddalingappa as the collection of any higher amount at present would be an undue hardship to him.

8. On a consideration of the circumstances of the case th Deputy Commissioner, Mr. K.Srinivasa Rao, passed final orders o 20th May 1913 to the effect that although the land was in posse of Siddalingappa, who according to the statement of the village was getting from the land a handsome profit, ~~He~~ he made no arrang to get the temple building repaired but allowed it to go to rui directed that a sum of Rs 60/- per year for 5 years from 1907-08 1911-12 and half the value of the produce of the land for 1912-1 should be recovered from him.

9. Siddalingappa again submitted a petition to me reitera his grievances and praying for the rivision of the order. As th order sought to be revised was passed by my predecessor, I declin to interfere and the petitioner was informed accordingly.

The enclosures received with your docket under reply and file of vernacular papers relating to the case are, herein enclos

I have the honour to be,

Sir,

Your most obedient servant,

~~Treasury~~ Assistant Commissioner,

For Deputy Commissioner,

Shimoga District.

(Absent from Head Quarters)

SHR.

5 W/9

G.R.S. 28]

Passing orders on the appeal petn of G. Siddalingappa of Kulambi village, Honnali Taluk, re the inam lands of Sri Hanumantha Devaru in the village.

File No.

Serial No

Diary No. of letter replied to 786

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

READ—

Petn Regd No. 2177 dated 15th May 1914, from Gangadharappa & Siddalingappa bin Basappa of Kulambi village, Honnali Taluk, appealing against the order of the Dy Commr of Shimoga directing the appellant to pay Rs 420/- towards the cost of repairs to the temple

over.

, the 19

Date of issue

Signed by

~~ORDER THEREON. No.~~

SUBJECT.

H. S. 2/5

GPB—10,000 29 9 10

of Sri Hanumantha Devaru in the said village.

Correspondence ending with letter No. 238/39 dated 9th November 1914 from the Dy Commr, Shimoga Dt, submitting a report with the records on the subject.

Order thereon No. 905 Cur 1 file of U.P. 648-13-5 Dy 28-9-15

The temple of Sri Hanumantha Devaru at Kulambi in the Honnali Taluk is a Muzrai Institution endowed with certain inam lands.

2. Gangadharappa Siddalingappa (appellant before Govt) was the lessee of inam S. No. 116 of Kulambi village belonging to the temple and on this account

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

he had to supply annually three measures of oil to the temple for Navadipa in addition to paying the Jodi due upon the land. The temple being in need of repairs the appellant consented in 1908 to undertake the repairs of the temple at an estimated cost of Rs 300/- but he stipulated that the land in question should be permanently leased to him on the same terms. Subsequently the appellant further undertook to conduct in addition to one day's utsava if a permanent lease is granted to him This was however found to be impossible and as the appellant failed to contribute

GPS—12,000—15-2-13

anything towards the repairs of the temple in spite of the large profit enjoyed by him, the Dy Commr ordered that an enhanced rent at the rate of Rs 60/- per annum should be levied from him with effect from 1907-08 and that the value of half the produce for 1912-13 estimated at Rs 120/- should be recovered from him - Against this order the petitioner appeals to ~~the~~ Govt.

2. The petition presented by the appellant and the Muthalikai executed in 1908 both show that he agreed to repair the temple in Consideration of the field being given

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

to him on permanent lease for the low rent of 3 maunds of oil that he had been paying. The matter was not decided one way or other finally till 1913, when the [illegible] field was leased to another person for a much higher rent. The appellant was therefore not bound to repair the temple or to pay any higher rent for the past years. The Deputy Commissioner's order to levy arrears of rent from him at Rs 60/- a year is therefore Cancelled.

To Receive and credit half the value of the produce [illegible] per the year 1912-13

Jo, 16/9/15

Rly 16/9/15

Ls 17/9/15

For Hy Secy

The Dy Comm^r Shimoga

Dc ret^g the records.

GPS—12,000—15-2-13